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OLC 71-1072

7 October 1971

MEMORANDUM FOR THE RECORD

SUBJECT: Conversations with William Woodruff and James Woolsey  
Regarding the Symington Amendment to the Military  
Procurement Act

25X1A 1. In separate meetings I talked with William Woodruff, Counsel, Senate Appropriations Committee, and James Woolsey, Senate Armed Services Committee staff, about the various aspects of Senator Symington's amendment to the Military Procurement Act which would place a [ ]

[ ] Their comments are as follows:

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a. Scope of the Amendment

(1) Both Woodruff and Woolsey felt that, despite the possible broad interpretation which could be given to the language of the Symington amendment, neither Symington nor anyone else expects it to be interpreted so broadly. Woodruff commented that when Senator Symington discussed current funding levels with Senator Stennis he, in effect, accepted the format in which DOD had submitted its statement of costs for programs in [ ] in fiscal year 1972. These estimates obviously did not include the cost of operating the U.S. embassy, [ ] or "overhead" costs for these or other normal programs. However, both Woodruff and Woolsey felt that it would be useful, as we suggested, that there be some language in the statement of the managers of the conferees to the effect that the Symington amendment obviously was not intended to include within its ceiling the cost of the operation of the embassy in Laos and other normal expenses incident to the maintenance of the country team there.

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(2) Both of these Senate staffers felt there was a good possibility that the House would refuse to accept any part of the Symington amendment. (Woolsey noted that under the House rules, as revised by the Reorganization Act of 1970, any Senate amendment to a House bill which is not covered substantively in the bill as approved by the House--and therefore is not germane to the bill--would be subject to a point of order in the House if accepted by the House/Senate conferees. This is a matter of considerable irritation to a number of senators since it has the effect of imposing the rules of the House on the Senate. Woolsey noted that Chairman Hebert obtained a rule from the House Rules Committee waiving points of order on the draft bill for just this reason, but he doubts Mr. Hebert will be so charitable on the Military Procurement Act.)

b. Specific Authorization for [REDACTED]  
Fiscal Year 1972

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(1) Mr. Woolsey didn't really seem to grasp the significance of this limitation but it should be noted that his reaction is influenced by Chairman Stennis' position

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(2) Mr. Woodruff, on the other hand, sees some serious problems here. He feels that if Senator Stennis prevails the Administration will create some sort of device to keep the Agency in the picture and result in the same kind of "debacle" that occurred following adoption of the Fulbright amendment last year. Furthermore, he believes that if the authorization limitation remains, it ultimately will result in the disclosure of a portion of the CIA budget [REDACTED] and bring about the gradual revelation of the entire CIA budget.

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c. Reports to the Congress on [REDACTED]

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It is expected that these reports (classified if necessary) would be submitted to the Vice President and to the Speaker of the House. They would probably be forwarded to the Foreign Relations and Foreign Affairs Committees as well as to the Committees on Armed Services and Appropriations. Neither Woodruff nor Woolsey foresee any inherent problem in this provision.

2. Mr. Woolsey does not expect the House/Senate conferees to meet on the differences on the Military Procurement Act before Tuesday or Wednesday of next week and believes the conferees will not deal with the issue of the Symington amendment until the latter part of next week at the earliest.



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Deputy Legislative Counsel

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